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December 18, 2007

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The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

STATE LEGISLATIVE AGENDA FOR THE SECOND YEAR OF THE 2007-08 SESSION (ALL DISTRICTS AFFECTED) (3 VOTES)

The following recommendations represent the updated policies and proposals for the second year of the 2007-08 State Legislative Session developed in coordination with Board Offices, County departments, the Legislative Strategist, and our Sacramento advocates. This package, together with other positions previously adopted by your Board, will guide our State advocacy efforts.

THEREFORE, IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve the attached additions, deletions, and changes to existing Board-adopted legislative positions. In general these changes seek to minimize the adverse impact of State actions on the County, achieve greater flexibility over the use of State funds, secure State assistance whenever possible, especially from non-General Fund sources, and promote the growth of the State and local economy.
2. Instruct the Chief Executive Officer, affected departments, the Legislative Strategist, and our Sacramento advocates to work with the County delegation, other counties and local governments, and interest groups to pursue these positions.

ECONOMIC AND FISCAL OUTLOOK

As the Governor prepares his FY 2008-09 Proposed Budget, recent newspaper accounts indicate that he has instructed State agencies and departments to prepare budget reductions of 10 percent in anticipation of a potential \$10 billion deficit. The key economic factors behind the revenue slowdown are sharply declining real estate markets and to a somewhat lesser degree, high energy and gasoline prices. In addition, according to the Legislative Analyst's Office (LAO) and other agencies, the State may be facing some unforeseen current year expenditures that will draw down the \$4.1 billion reserve created by the 2007 Budget Act. Such a draw down would reduce the State's ability to cover future operating deficits. In fact, the LAO indicates that the FY 2007-08 budget situation has deteriorated by almost \$6.0 billion, which, absent corrective action, would leave the State with a \$1.9 billion deficit at the end of the current fiscal year. Other budget pressures include: 1) litigation overturning the shift of mass transit funds to the General Fund (\$1.3 billion); 2) sale of the student loan agency, EdFund (\$490 million to \$980 million); 3) Proposition 98 guarantee calculation and repayment of previous loans (\$427 million to \$838 million); and 4) a litigation settlement with the California State Teachers' Retirement Fund (\$500 million). Within this environment, the State may have to consider reductions in all program areas of the budget in order to develop a balanced budget.

Given the State's unhealthy economic outlook, the County will continue to focus generally on the restoration and preservation of State funding, working primarily through the budget process. While the current budget outlook will make it very difficult to obtain additional funding, the County will seek to restore funding for a number of programs and secure additional funding for programs where service needs have outpaced stagnant or slow growing revenues.

RECOMMENDED CHANGES TO THE COUNTY'S STATE LEGISLATIVE AGENDA

The changes in the Attachment represent requests from County departments and commissions to add or modify policy statements consistent with their operational goals and plans. New policy statements represent emerging programs and issues for which we are seeking your Board's concurrence to guide future activities. Modifications to policy statements are requested for various items including adding new programmatic categories such as Recycling and Waste Reduction, further clarification of policy intent in certain areas of public health and consumer protection affecting banned products sold in flea markets and the alcoholic content of certain products, and deletion of policies that are no longer applicable because County supported legislation was enacted as in the case of reimbursement of the cost of special elections. All other previously adopted State Legislative Agenda policies and positions remain in effect; and as such, advocacy will continue on these matters. A revised comprehensive list of all State Legislative Agenda

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policy statements will be published subsequent to consideration of the changes included in the Attachment.

Legislation for which the County will seek sponsorship and summaries of budget and legislative initiatives, consistent with existing Board policy, which our Sacramento advocates will continue to pursue as part of the second year of the 2007-08 State Legislative Session were provided in our Sacramento Update of December 5, 2007.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The proposed policies and proposals in the State Legislative Agenda are consistent with the County's Strategic Plan Goals of Organizational Effectiveness and Fiscal Responsibility. Organizational Effectiveness is achieved by providing timely advocacy on proposals that could significantly affect the County. Fiscal Responsibility results from efforts by the CEO, Sacramento advocates, and County departments pursuing new funding sources and opposing cuts in program funding or new unfunded mandates on county government.

CONCLUSION

The recommended general policies and updated proposals in the Attachment are submitted for your Board's consideration as the guiding principles for our advocacy efforts during the second year of the 2007-08 State Legislative Session. The policies and proposals contained in this package are in addition to, and are not intended to be exclusive of, other positions your Board may adopt. As in the past, the State Legislative Agenda will be updated to reflect subsequent Board actions.

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:GK:MAL
IGA:acn

Attachment

c: County Counsel
All Department Heads

RECOMMENDED CHANGES TO STATE LEGISLATIVE POLICIES

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1. Children and Families

1.1 Child Welfare Services

16. **Support proposals that increase the types of professionals, including alcohol and drug counselors, required to report suspected cases of child abuse.**

(Requested by the Commission on Alcoholism and Narcotics and Dangerous Drugs Commission. Currently, alcohol and other drug counselors are not included on the list of over 50 mandated reporters.)

1.3 Child Care and Child Development

1. Support efforts to develop and implement a master plan for quality early care and education that sets high standards for all such services, and addresses the needs of all children, from birth through age 12, including those with special needs up to age 18 and children from diverse cultural and linguistic backgrounds. Such efforts should also encompass goals for the development and sustainability of a professional workforce and early learning standards that build upon established foundations for early childhood education research and practice, **and establish alignment among regulatory systems that are consistent with quality standards, teacher qualification, and licensing, which support local initiatives to enhance child development programs.**

(Requested by the Policy Roundtable for Child Care. This revision is necessary to support proposals that enhance the quality of child care and development programs consistent with the Board-approved Steps to Excellence Pilot (STEP) Program. STEP provides parents with clear, concise information on the quality of individual child care settings.)

8. Support proposals designed to **enhance program integrity and** prevent and detect fraud in State-subsidized child care programs, **while ensuring access to eligible families.**

(Requested by the Department of Public Social Services (DPSS). This revision is necessary to support proposals that enhance the integrity of subsidized child care programs.)

2. Environment, Natural Resources and Recreation

2.3 Environmental Protection and Open Space

2. Support establishment of a Statewide endowment fund to protect, restore and maintain natural resource areas **such as mountains, forests, beaches, park natural areas, preserves, wildlife/wildflower sanctuaries,** greenways, riparian

corridors, and trails **and other natural environments containing ecological, geological, habitat, cultural, recreational and scenic value.**

(Requested by the Department of Public Health (DPH). The Department of Public Works (DPW), and The Department of Parks and Recreation (DPR). This change is needed to clarify natural resource areas.)

2.4 Parks

11. **Support funding for new and expanded programs that encourage all children to participate in outdoor recreational activities and programs that involve increased physical activity to address the obesity issue in our youth.**

(Requested by DPR. This policy is necessary to encourage programs that stress youth participation in outdoor recreation and assist the County in addressing the alarming incidence of childhood obesity and the need to emphasize education and physical activity.)

2.5 Watershed Management and Flood Control

11. **Oppose legislation that would impede effective maintenance of flood control and/or levee systems by limiting, without sound scientific bases, the methods for control of burrowing animals or control or eradication of invasive weed species.**

(Requested by Agricultural Commissioner/Weights and Measures (AC/WM) and DPW. Restrictions on the use of sound and effective methods to control the damage caused to the levee system by burrowing animals and plants contribute to the deterioration of flood control systems.)

2.7 Recycling and Waste Reduction

3. Support legislation to **which** promotes or provide incentives for the development of alternatives to landfills and incineration, including **such as** conversion technologies, **that protects public health and safety and the environment; establishes a viable permitting process for these alternatives based on performance standards rather than prescriptive definitions;** and provides **full** diversion credit for these alternatives **under the California Integrated Waste Management Act.**

(Requested by DPW. State statutes require certain technologies to meet very prescriptive definitions. For example, gasification technologies cannot use any oxygen in their process and must have zero discharge of air emissions. The Department prefers to see performance standards, such as "comply with all applicable air regulations.")

11. Support legislation **that would assist local governments in developing and enhancing source reduction and recycling initiatives.** requiring the Waste Board to take the lead role of coordinating and funding research and development of markets for diverting materials and formulating source reduction strategies.

(Requested by DPW. Source reduction, reuse and recycling are part of the State's waste management hierarchy. This policy statement would assist DPW in achieving State-mandated waste reduction goals.)

12. **Support legislation to conduct a comprehensive environmental life-cycle assessment of waste management practices in California that considers the impacts of products over their entire life, including waste reduction and recycling as well as the impact of materials transported outside of the State.**

(Requested by DPW. A life-cycle assessment is an industry term that takes into account the environmental impacts of products over their entire life. This includes the consumption of energy and resources to manufacture and transport the product and the costs and impacts of disposal. This policy statement would assist DPW in achieving State-mandated waste reduction goals.)

13. **Support legislation to place greater emphasis on producer/manufacturer responsibility for the environmental impact of their products and the waste that is produced.**

(Requested by DPW. Extended Producer Responsibility", "Manufacturer Responsibility", and "Product Stewardship" are all industry synonyms for programs that require manufacturers of products to pay a fee, take back, or otherwise take responsibility for the environmental impacts of their products after the conclusion of their useful life. The Department indicates that in order to address the impacts of manufactured goods on their waste management infrastructure and the cost to local governments, manufacturers must better design their products and take more responsibility for managing their products when they reach the end of their useful life cycle.)

14. **Support legislation that provides or facilitates funding for and/or strengthens the ability of local governments to prevent and remediate illegal dumping of trash and rubbish, including open desert areas and vacant lands adjacent to low income communities.**

(Requested by AC/WM and DPW. The Departments indicate illegal trash dumping is a growing documented problem in low income and desert areas.)

3. General Government

3.4 Consumer Protection

3. Support legislation to prohibit products recalled or banned by the U.S. Consumer Products Safety Commission from being resold in thrift shops, **flea markets**, and/or used in child care facilities.

(Requested by DPH. The Department indicates that this change is needed because banned products may be sold at flea markets)

- ~~5. Support proposals to extend, or eliminate, the sunset date for the existing authority of the County Sealer to file administrative civil penalties against persons who violate Division 5, pertaining to Weights and Measures, of the Business and Professions Code.~~

(Requested by the Chief Executive Office. This position is no longer necessary as the sunset date was repealed by AB 889, Ruskin, approved by the Governor on October 5, 2005 [Chapter 529, Statutes of 2005].)

3.11 Library Services

4. Support maintenance of funding for the Transaction Based Reimbursement (TBR) program administered by the California State Library to implement **and encourage** universal borrowing **among library jurisdictions** in California, and ~~oppose actions which would reduce the current TBR funding level.~~

(Requested by the Public Library. The changes are needed to further clarify and update the existing policy.)

4. Health

4.4 Health Insurance and Coverage

13. **Support proposals that provide funding to increase income eligibility limits for the California Children's Services (CCS) Program, and exempt counties from additional expenditures resulting from such an expansion of eligibility.**

(Requested by DPH. This policy would reflect the County's opposition to SB 137 (Torlakson) which would have increased financial eligibility to the CCS Program, but also would have substantially increased County costs. SB 137 was vetoed by the Governor.)

14. **Oppose legislation that would revise the Medical Injury Compensation Reform Act (MICRA) to impede access, increase health care costs and/or divert health care dollars from patient care.**

(Requested by the Department of Health Services (DHS). MICRA was enacted in response to efforts to curb the escalating costs of medical malpractice insurance, which was causing physicians to cease delivering babies, move out of state or retire early, and was causing hospitals to consider limiting high-risk but critical services, such as neurosurgery.)

4.5 HIV/AIDS

7. **Support regulatory or legislative changes to residential care facility law and regulation to enhance the provision of services to special populations, such as HIV clients, in residential settings.**

(Requested by the HIV Commission. The Commission indicates that there are a number of State requirements mandating specific conditions in residential care facilities that conflict with the treatment of HIV clients, hamper effective HIV service delivery and/or make services in residential settings ineffective.)

4.6 Public Health

24. **Support measures that increase the number of farmers' markets in underserved neighborhoods to enhance opportunities for residents to obtain fresh, nutritional food.**

(Requested by DPH. The Department indicates that bringing farmers' markets to underserved neighborhoods would increase access to fresh fruits and vegetables and contribute to better nutrition.)

4.7 Alcohol and Drug

8. **Support proposals that provide permanent and stable funding and integrated approaches for the early identification and diversion of high-risk/high-cost patients who are dually-diagnosed with mental health and substance abuse disorders or other multiple symptoms/problems that effectively addresses substance abuse, mental health, housing, and related matters.**

(Requested by DPH. The Department indicates that this policy supports the goals of the County's Strategic Plan to provide services to persons with complex substance abuse and mental health needs in the most effective and efficient way possible.)

9. **Support proposals which would improve the ability to easily discern through labeling the alcohol content of products and reduce the potential to confuse alcoholic products, such as alcopops, for non-alcoholic products.**

(Requested by DPH. The Department indicates that this policy would help consumers discern the alcohol content of particular products.)

4.8 Health Education and Training

2. Support enhanced funding for nursing education and training slots at public universities and teaching hospitals, expanded workforce development funding and training programs for nursing and other allied health professions, as well as recruitment and retention of nurses, physicians, and allied health professionals to work **for providers who serve primarily poor or medically uninsured patients who rely on the medical safety net system for health care** in medically underserved areas.

(Requested by DHS. The change provides further clarification of the existing policy.)

8. **Support proposals to increase funding for public health nutritionists in local health departments and increase training funds for dietitians.**

(Requested by DPH. The Department indicates that currently there are five County-employed public health dietitians to serve 11 million County residents. The Department contends that in light of the epidemic of obesity and other diet-related diseases, it is crucial to support a workforce of dietitians to provide nutrition expertise in developing appropriate public health interventions.)

9. **Support proposals that fund academic development and preparation programs designed for disadvantaged ethnic groups, with a special emphasis on Spanish-speaking individuals, to assist those groups to enter and successfully complete nursing and allied health professional training programs.**

(Requested by DHS. The Department indicates that members of disadvantaged ethnic groups can often succeed in nursing and allied health professional training programs with this additional assistance.)

10. **Support a continuation and expansion of the Career Advancement Academy for health care funded by the California community college districts to address the health care workforce shortage.**

(Requested by DHS. The Department indicates that the County operates the Career Advancement Academy, a pilot program funded by a grant from the Los Angeles Community College District.)

5. Housing and Community Development

19. **Oppose proposals that substitute Proposition 1C (Housing and Emergency Shelter Trust Fund Act of 2006) bond funding for existing housing and infrastructure resources.**

(Requested by CDC. The Commission is seeking to limit reductions to existing housing and infrastructure funds through a process that includes supplanting such reductions with Proposition 1C funding.)

6. Justice and Public Safety

6.5 Emergency Management and Operations

4. **Support legislation that would add drivers of vehicles requiring a commercial driver license employed by a local jurisdiction to the existing entities that are exempt, while performing duties related to restoration of services during an emergency, from restrictions related to the maximum number of hours of vehicle operation.**

(Requested by DPW. The department indicates that its personnel perform essential public services necessary for the health and safety during disasters. DPW indicates that such services merit an exemption from the hours-of-service regulations during emergency restoration of service. If legislation is enacted, road maintenance personnel would be able to provide an immediate recovery of our local roadways during emergency conditions in a timely manner that is safe for all public entities.)

6.9 Anti-Terrorism

13. **Support legislation that increases funding and/or augments resources for protection against and response to bioterrorism and agroterrorism threats and events that present a risk to the safe supply of food and fiber.**

(Requested by AC/WM. There is an ongoing discussion of the need to prepare and implement cooperative efforts among local, State and Federal agencies to combat agroterrorism.)

8. Mental Health

1. Support legislation to provide mental health benefits coverage comparable to that provided for physical illnesses **establish coverage parity for mental health care and substance abuse disorders on par with coverage for physical disorders including specific penalties or consequences for non-compliance.**

(Requested by Department of Mental Health (DMH). The Department indicates that this policy revision is needed to enforce parity requirements in existing law and to address the problem of existing caps for mental health care that differ from caps for physical disorders.)

4. Support fully funded outpatient treatment and services for **all** individuals who may be **either** involuntarily committed **or seek voluntary treatment.**

(Requested by DMH. The Department indicates this revision clarifies that outpatient treatment should be funded for all individuals regardless of their treatment status.)

15. **Support legislation to provide funding for mental health and substance abuse treatment for locally incarcerated juveniles and adults.**

(Requested by DMH. The Department indicates that the AB 900, the Prison Reform bill, includes a mandate for mental health treatment for inmates and parolees. This policy statement is needed to emphasize that sufficient funding should be provided to meet this mandate and that counties should not bear financial responsibility for the new mandate.)

16. **Support legislation to fully fund a complete continuum of mental health services for parolees released to the community.**

(Requested by DMH. The Department indicates that AB 900, the Prison Reform bill, requires parolees to participate in a community re-entry program that includes mental health services. This policy statement is needed to emphasize that sufficient funding be provided to meet this mandate and that counties should not bear financial responsibility for the new mandate.)

17. **Support efforts for full reimbursement of Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) and SB 90 claims within 90 days of the County's submission of a claim for mental health services.**

(Requested by DMH. State reimbursement of EPSDT claims is currently three years in arrears. The Department indicates that this new policy statement is needed to ensure full and timely reimbursement of County claims for this program and SB 90 claims. The Auditor-Controller concurs.)

18. **Support legislation to restore past funding reductions to Fee-for-Service providers to ensure a continuum of services options for Medi-Cal recipients needed to maintain the community mental health system.**

(Requested by DMH. The County's mental health managed care program administers the Medi-Cal Fee-For-Service Consolidation Program for acute inpatient, professional and outpatient specialty mental health services in Los Angeles County. This restoration is needed to maintain the program.)

19. **Support proposals to allow local Child Death Review Teams to expand the scope of child suicide death reviews to include suicides of young adults from 18 to 24 years of age.**

(Requested by Inter-Agency Council on Child Abuse and Neglect. This policy is necessary to expand the authority of the Child Death Review Team to review suicide deaths of persons up to the age of 24 will increase suicide prevention efforts and provide data to better direct resources for persons in this age group. This also reflects provisions of the Mental Health Services Act which deems youth aged 15 to 24 as "transition age youth.")

9. Revenue and Taxation

23. **Support legislation to fund or restore State reimbursement to counties for property tax administration functions.**

(Requested by the Office of the Assessor. The Department plans to work with the California Assessors Association to pursue restoration of the Property Tax Administration Program (PTAP) which provided \$60 million annually Statewide to reimburse counties for property tax administration functions. PTAP was suspended by the State as part of the 2005 State Budget Act.)

24. **Support legislation to increase the \$400,000 mandatory audit threshold for personal property assessments to an amount to be determined based on a county's net assessed value.**

(Requested by the Office of the Assessor. Current law mandates that all personal property assessments of \$400,000 or greater are subject to audits by the assessor. Increasing the mandatory audit threshold will allow county assessors to expand the pool of taxpayers subject to potential audits, providing for more accurate assessments.)

- 25. Support legislation to allow each person 55 years of age or older, regardless of marital status, the right to use the one-time lifetime exclusion for the transfer of a primary residence Proposition 13 base year assessed value to a replacement residence pursuant to the Revenue and Taxation Code.**

(Requested by the Office of the Assessor. Under Propositions 60 and 90, property owners 55 or older are allowed to transfer their Proposition 13 base value to another property if the replacement property is of equal or lesser value. Implementing legislation limits the use of this exemption to one time per property owner. If a married couple uses the exemption, they both are considered claimants and neither may use the exemption in the future. Unmarried owners are not subject to this same restriction. This policy would remove this existing loophole.)

10. Social Services

10.1 Reforming the Safety Net and Promoting Self-Sufficiency

- 17. Support proposals to give counties the flexibility to develop and translate CalWORKs screening and evaluation forms into non-English languages if the State has not provided translated versions of the forms.**

(Requested by DPSS. The Department indicates that this new policy would facilitate the development and translation of needed forms for non-English speaking CalWORKs participants engaged in welfare-to-work activities.)

10.2 CalWORKs

- 13. Support proposals that simplify the CalWORKs Child Care Program to increase access and eliminate child care as a barrier to welfare-to-work activities and employment.**

(Requested by DPSS. This new policy will increase enrollment in the CalWORKs Child Care Program and support efforts to meet increased Federal work participation rates required under the Deficit Reduction Act of 2005.)

- 14. Support proposals that would provide a limited State-funded Food Stamp grant to families receiving Food Stamps only where a parent or relative caregiver is working a sufficient number of hours to meet the Federal TANF work participation rate.**

(Requested by DPSS. This new policy will support efforts to meet increased Federal work participation rates required under the Deficit Reduction Act of 2005 which reauthorized TANF.)

15. **Support proposals that would allocate new State funds for counties to conduct approved Food Stamp outreach activities.**

(Requested by DPSS. The Department indicates that California has a low Food Stamp participation rate. Currently, counties use administrative funds to conduct Food Stamp outreach activities. DPSS indicates that the availability of State funding for Food Stamp outreach would enhance these efforts.)

16. **Support proposals that would require all Cal-Learn youth to enroll and stay in school, actively participate in the Cal-Learn Program, and not seek employment as an alternative to school, but in conjunction with formal education that leads to at least a high school diploma.**

(Requested by DPSS. The Department indicates that this new policy will enhance efforts to promote education and completion of high school for Cal-Learn recipients with the ultimate goal of increasing self-sufficiency.)

17. **Support proposals to exclude Cal-Learn youth from the base calculation of the Federal work participation rate.**

(Requested by DPSS. At the present time, only 12 months of enrollment in high school can be counted to meet the work participation rate. The proposed policy would assist in meeting the new Federal work participation rate and avoid Federal penalties.)

18. **Support proposals to require that non-exempt CalWORKs adults attend the Welfare-to-Work Appraisal appointment as a condition of initial eligibility for cash assistance.**

(Requested by DPSS. The Department indicates that this new policy will support efforts to meet increased Federal work participation rates by requiring Cal-WORKs participants to begin Welfare-to-Work activities as a condition of receiving cash assistance.)

19. **Support proposals to provide a short-term extension of CalWORKs cash assistance and Medi-Cal benefits for families participating in the Family Reunification Program who were receiving CalWORKs assistance and Medi-Cal when the child(ren) in the families were removed due to abuse or neglect.**

(Requested by DPSS. DPSS and DCFS indicate that the availability of short-term CalWORKs and Medi-Cal assistance will provide needed financial and medical support to help families successfully reunify.)

10.3 Welfare-to-Work Program (Category Deletion Requested by DCSS)

- ~~1. Support State matching funds sufficient to maximize the availability of Federal funding.~~
- ~~2. Support the pass-through of all Welfare-to-Work formula grant funds to workforce investment boards that administer the program at the local level.~~
- ~~3. Support the equitable allocation of Welfare-to-Work funds to local workforce investment boards, targeting at least two-thirds of available funds to local workforce investment areas which serve areas with high concentrations of poor people, based upon current poverty data.~~
- ~~4. Support proposals to ensure local flexibility and oppose additional requirements on the use of Welfare-to-Work funds.~~

(Requested by DCSS. The Department indicates that these policies should be deleted as the Welfare-to-Work program is no longer being funded or administered.)